

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Monty D. Murphy,

Plaintiff,

v.

Case No. 1:17cv138

United States of America,

Judge Michael R. Barrett

Defendant.

ORDER

This matter is before the Court on the Report and Recommendation (“R&R”) filed by the Magistrate Judge on October 19, 2018 (Doc. 20).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge’s R&R (Doc. 20) have been filed.

Accordingly, it is **ORDERED** that the R&R (Doc. 20) of the Magistrate Judge is hereby **ADOPTED**. The defendant’s Motion for Judgment on the Pleadings (Doc. 18) is **GRANTED**. This matter is dismissed without prejudice.

IT IS SO ORDERED.

s/Michael R. Barrett
Michael R. Barrett, Judge
United States District Court